

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JOHN JADELIS, Derivatively on behalf of §
Nominal Defendant Encysive §
Pharmaceuticals, Inc., §

Plaintiff, §

v. §

BRUCE D. GIVEN, RICHARD A.F. §
DIXON STEVEN L. MUELLER, JOHN M. §
PIETRUSKI, JAMES T. WILLERSON, §
RON J. ANDERSON, J. KEVIN BUCHI, §
ROBERT J. CRUIKSHANK, JOHN H. §
DILLON, II, SUZANNE OPARIL and §
JAMES A. THOMASON, §

Defendants, §

and §

ENCYSIVE PHARMACEUTICALS, INC. §
§

Nominal Defendant §

CIVIL ACTION NO. H-06-3713
JUDGE DAVID HITTNER

**ORDER ON PLAINTIFF'S UNOPPOSED
NOTICE OF DISMISSAL**

Pursuant to the Plaintiff's Unopposed Notice of Dismissal, the Court hereby approves dismissal of this action without prejudice as to all Defendants.

The above action is hereby dismissed without prejudice with all parties to bear their own attorneys' fees, costs, and expenses. This is a final judgment. All relief not expressly granted herein is denied.

Signed this 3 day of October, 2007.



UNITED STATES DISTRICT JUDGE